

New England Biolabs, Inc.  
32 Tozer Road  
Beverly, MA 01915

DECLARATION  
AND POWER OF ATTORNEY  
Original Application

Attorney Docket No. NEB-163PUS

As a below named inventor, I hereby declare that:

My residence, post address and citizenship are as stated below next to my name

I believe that I am the original, first and sole inventor (in only one name is listed at 201 below) or an original, first and joint inventor (if plural names are listed at 201-203 below) of the subject matter which is claimed and which a patent is sought on the invention entitled:

Method For Generating Split, Non-Transferable Genes That Are Able To Express An  
Active Protein Product

which is described and claimed in:

09/936,588 9/13/01

[ ] the attached specification or [x] the specification in Application Serial No. \_\_\_\_\_ filed \_\_\_\_\_

(for declaration not accompanying application)

And was amended on \_\_\_\_\_  
if applicable

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendments referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

FOREIGN APPLICATION(S) IF ANY, FILED WITHIN 12 MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION

COUNTRY	APPLICATION	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES NO
			YES NO

ALL FOREIGN APPLICATION(S) IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION

COUNTRY	APPLICATION	(day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
PCT	PCT/US00/14122	23 May 2000	

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (Patented, Pending, Abandoned)
60/135,677	24 May 1999	Pending

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600	2	Full Name of Inventor	Last Name <u>Sun</u>	First Name <u>Luo</u>	Middle Name
	0	Residence & Citizenship	City <u>Hamilton</u> <u>MA</u>	State/Foreign Country <u>Massachusetts</u>	Citizenship <u>P.R. China</u>
	6	Post Office Address	Post Office Address <u>46 Plum Street</u>	City/State/Country <u>Hamilton, MA</u>	Zip Code <u>01982</u>
700	2	Full Name of Inventor	Last Name <u>Chen</u>	First Name <u>Lixin</u>	Middle Name
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800	2	Full Name of Inventor	Last Name <u>Ghosh</u>	First Name <u>Inca</u>	Middle Name
	0	Residence & Citizenship	City <u>Somerville</u> <u>MA</u>	State/Foreign Country <u>Massachusetts</u>	Citizenship <u>India</u>
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900	2	Full Name of Inventor	Last Name	First Name	Middle Name
	0	Residence & Citizenship	City	State/Foreign Country	Citizenship
	9	Post Office Address	Post Office Address	City/State/Country	Zip Code

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

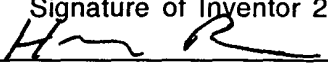
Signature of Inventor 201 <u>Ming Sun</u>	Date <u>Sept. 29, 2001</u>
Signature of Inventor 202 <u>Chen Lixin</u>	Date <u>Oct. 2, 2001</u>
Signature of Inventor 203 <u>Inca Ghosh</u>	Date <u>Oct 2, 01</u>
Signature of Inventor 204 <u>Derald B. Corn</u>	Date <u>Oct 2, 01</u>
Signature of Inventor 205	Date
Signature of Inventor 206 <u>Luo</u>	Date <u>Oct. 2. 01</u>
Signature of Inventor 207 <u>Lixin Chen</u>	Date <u>Oct. 2. 01</u>
Signature of Inventor 208 <u>Inca Ghosh</u>	Date <u>Oct 2, 2001</u>
Signature of Inventor 209	Date

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2	Full Name of Inventor	Last Name Sun	First Name Luo	Middle Name
0	Residence & Citizenship	City Hamilton	State/Foreign Country Massachusetts	Citizenship P.R. China
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2	Full Name of Inventor	Last Name	First Name	Middle Name
0	Residence & Citizenship	City	State/Foreign Country	Citizenship
9	Post Office Address	Post Office Address	City/State/Country	Zip Code

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor 201	Date
Signature of Inventor 202	Date
Signature of Inventor 203	Date
Signature of Inventor 204	Date
Signature of Inventor 205 	Date 9/20/01
Signature of Inventor 206	Date
Signature of Inventor 207	Date
Signature of Inventor 208	Date
Signature of Inventor 209	Date

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